

Resolutions submitted by Mr. Burley, March 16, 1861.

173

26

RESOLUTIONS

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2 3 4 5 6 7 8 9 1. *Resolved*, That this Convention can see no reason for departing from the faith of our fathers, and from the principles on which the Government of the United States was founded, and, therefore, we declare, in the name of our constituents, the people of Virginia, that the Constitution of the United States was, in the language of Mr. Madison, adopted by the people of the several States, who w a e re parties to the compact in their highest sovereign capacity, "in toto and forever."

2 3 4 5 6 7 2. *Resolved*, As the fixed and deliberate opinion of this Convention, that nullification and secession are fallacies and heresies, and in the language of Mr. Madison, "both spring from the same poisonous root;" that they had no place in the minds of the framers of the Constitution, and are political anomalies in government which the sound practical sense of the people will never adopt or submit to, and which, if 2 8 9 10 once recognized, will utterly and entirely overthrow all possibility of establishing a fixed and permanent Government on this continent.

2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 3. *Resolved*, In the language of the illustrious statesman above referred to, whom the people of Virginia have been taught to venerate and revere as the wisest, safest and truest expounder of the Constitution which he so largely contributed to construct; that that instrument makes the Government to operate directly on the people, places at its command the needful physic ian al means of executing its powers, and finally proclaims its supremacy, and that of the laws made in pursuance 9 of it over the Constitution and laws of the States, subject to the revolutionary rights of the people in extreme cases; that a political system that does not provide for a peaceable and authoritative termination of existing controversies would not be more than the shadow of a Government, the object and end of a real Government being the substitution of law and order for uncertainty, confusion and violence; that in the event of a failure of every constitutional resort, and an accumulation of usurpations and abuses rendering passive obedience and non-resistance a greater evil than resistance and revolution, there can remain but one resort, the last of all—an appeal from the cancelled obligations of the Constitutional Compact to the original rights and 3 22 23 24 25 26 2 6 7 the law of self-preservation. This is the *ultima ratio* of all governments, whether consolidated, confederated, or a compound of both. It cannot be doubted that a single member of the Union, in the extremity supposed—BUT IN THAT ONLY—would have a right, as an extra and ultra constitutional right, to make the appeal.

2 3 4 5 6 7 8 94. *Resolved*, That the forts, fortifications, armies, arsenals, arms, ammunition, ships-of-war, custom-houses, mints, post-offices, and other property of the United States, can, by the Constitution, be disposed of only by Congress, and that no portion of the people have any interest in or claim to any part thereof, after they cease to be citizens of the United States, and when they no longer participate in the payment of its debts or in the defence of the institutions of the country.

2 3 4 5 6 7 8 95. *Resolved*, That while no doubt can exist on the minds of this body of the right and the obligation of the Government to execute all its laws fairly, impartially and promptly upon all its citizens, without distinction or discrimination, yet, under the extraordinary condition of things, as they now exist, we earnestly and anxiously urge upon the Executive Department of the Government the policy of abstaining from the exercise of such power at any point where such attempt would be likely to occasion collision, so long as there are efforts 4 10 11 12 to be made by the other States or hopes to be indulged of a final and peaceful settlement of the difficulties with which the country is embarrassed.

2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 6. *Resolved*, That the right of revolution above recognized, can be exercised as well by a portion of the citizens of a State against their State government, as it can be exercised by the whole people of a State against their Federal Government; and, when the powers of a State Government are used 6 for purposes of unjust discriminations against a portion of the citizens, or a particular section of the State, in imposing upon one portion or section an undue proportion of the burdens of the State Government, and in exempting from taxation a peculiar species of property belonging, to a great extent, to another portion of the citizens, and located mostly in another section of the State, thus increasing taxation upon all other interests in order to favor a "peculiar interest;" the people thus oppressed, after having exhausted all constitutional efforts to obtain redress, would be justified in resisting the collection of all revenue from them until the injustice aforesaid was removed. And that any change of the relation Virginia now sustains to the Federal Government, against the wishes of even a respectable minority of her people, would be such an act of injustice perpetrated upon the rights of that minority as to justify them in changing their relation to the 5 22 23 24 25 26 27 28 29 30 31 32 33 State Government, by separating themselves from that section of the State that had thus wantonly disregarded their interests and defied their will, particularly when the cause assigned for the change of Virginia's relation to the said Federal Government, is the alleged insecurity in the said last mentioned Government of the peculiar species of property thus protected by the organic law of the State from contributing its due share to the support of the said State Government, by prohibiting the taxing of a large portion of said property, and limiting the portion subject to taxation to a specific tax far less than that imposed upon even other species of property.